

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

04/04/2000

CLERK OF THE COURT
FORM R109B

JUDGE PRO TEM ELIZABETH FELDMAN
FOR JUDGE PRO TEM COLLEEN
MCNALLY

D. Sauerzopf
Deputy

CR 1998-014484

FILED: _____

STATE OF/ARIZONA

MICHAEL R/MORRISON

v.

THOMAS DANIEL/SPOONMORE
DOB: 03/03/68

KAREN L KAPLAN

APO-SENTENCINGS-CCC
APPEALS-CCC
CERTIFICATION DESK-WAIVER-CCC
DISPOSITION CLERK-CCC
RFR
VICTIM WITNESS DIV-CA-CCC

SUSPENSION OF SENTENCE - PROBATION GRANTED

2:46 p.m. State is represented by Ryan Kuhl and Michael R. Morrison.
Defendant is present and represented by above-named counsel.

Court Reporter, Lori Hetland, is present.

The Defendant is advised of the charge, the determination of guilt and
is given the opportunity to speak.

Based upon the information provided, the Court finds that probation is
mandatory pursuant to A.R.S. Section 13-901.01(A) due to the fact that this
is the Defendant's first drug conviction. The Court further finds probation
to be appropriate due to the nature of this offense and the Defendant's need
for supervision and for treatment.

Pursuant to A.R.S. Section 13-607,

THE COURT FINDS AS FOLLOWS:

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WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived his/her right to a trial with or without a jury, his/her right to confront and cross examine witnesses, his/her right to testify or remain silent and his/her right to present evidence and call his/her own witnesses after having been advised of these rights. The determination of guilt was based upon a plea of Guilty.

Having found no legal cause to delay rendition of judgment and pronouncement of sentence, the Court enters the following judgment and sentence:

IT IS THE JUDGMENT of the Court that the Defendant is guilty of the crimes of:

OFFENSE: COUNT 2: POSSESSION OF MARIJUANA, a class 6 undesignated, nondangerous and nonrepetitive offense in violation of A.R.S. Sections 13-3401, 3405, 701, 702, 702.01, 707, 801, 802 and 901.01(A) committed on April 16, 1998.

Upon consideration of the offense, the facts, law and circumstances involved in this case, the Court finds that the Defendant is eligible for probation. The specific reasons for the granting of probation are stated by the Court on the record.

As punishment for this crime(s),

IT IS ORDERED suspending imposition of sentence and placing the Defendant on probation as to Count(s) 2 for a period of 2 years commencing April 4, 2000 under the supervision of the Adult Probation Department of this Court, in accordance with the formal Judgment and Order suspending sentence and Order imposing terms of probation signed by the Court.

As a condition of probation,

IT IS ORDERED that the Defendant pay a monthly probation service fee to the Clerk of the Superior Court of Maricopa County at a rate of \$30.00 commencing on June 1, 2000 and due on the same day of each month thereafter during the term of probation.

FINE: IT IS ORDERED that the Defendant shall pay a fine to the Clerk of the Superior Court of Maricopa County in the amount of \$750.00, and all applicable surcharges are waived.

Payment is to be made in regular monthly payments of \$25.00 commencing June 1, 2000 and on the same day of each month thereafter until paid in full.

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IT IS ORDERED that the Defendant shall complete 40 total hours of Community Service, as directed by the probation officer, commencing May 1, 2000.

IT IS ORDERED that the Defendant pay an assessment in the amount of \$20.00 to the Clerk of the Superior Court of Maricopa County as follows:

Pursuant to A.R.S. Section 12-116, Defendant shall pay a fee of \$20.00 to the Clerk of the Superior Court of Maricopa County. Should Defendant pay all penalties, fines and/or sanctions in full this date, said fee is not applicable.

IT IS ORDERED granting the Motion to Dismiss Counts 1 and 3.

The written terms and conditions of probation are handed to the Defendant for explanation, acceptance and signature. The Defendant agrees to the stated waiver of extradition. The Defendant is advised concerning the consequences of failure to abide the conditions of probation.

The Defendant is advised concerning rights of review after conviction and written notice of those rights is provided.

FILED: Conditions of Probation and Notice of Rights of Review after Conviction

Let the record reflect that the Defendant has waived the preparation of a presentence report.

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Let the record reflect that the Defendant's thumbprint is permanently
affixed to this sentencing order in open court.

2:53 p.m. Matter concludes.

/s/ JUDGE PRO TEM ELIZABETH FELDMAN
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)